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Filing date: **11/23/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91202001
Party	Defendant AQS BRAND, INC.
Correspondence Address	SASOON SARDARIAN LAW OFFICES OF SASOON SARDARIAN 16000 VENTURA BLVD STE 1101 ENCINO, CA 91436-2762  ss@sardarianlaw.com
Submission	Answer
Filer's Name	Matthew A. Becker
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Signature	/s/ Matthew A. Becker
Date	11/23/2011
Attachments	Answer.pdf ( 5 pages )(58293 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant Serial No.: 85/230,144  
Mark: SWISSICON  
Published: June 14, 2011  
Filed: : January 31, 2011

Federation of the Swiss Watch Industry

Opposer,

v.

AQS BRAND, INC.

Applicant.

Proceeding No.: 91202001

**ANSWER**

AQS BRAND, INC., (“Applicant”) answers the allegations of Federation of the Swiss Watch Industry (“Opposer”) as follows:

Applicant admits that Federation of the Swiss Watch Industry, (“Opposer”) is an unincorporated association formed under the laws of Switzerland, Rue d’ Argent 6, CH-2501, Biennes, Switzerland, located and doing business at the address given, but denies the remaining allegations contained in the first unnumbered paragraph contained in the opposition.

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1. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 1 of the notice of opposition and on that basis, denies the allegations.

2. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 2 of the notice of opposition and on that basis, denies the allegations.

3. Applicant denies the allegations contained in paragraph 3 of the notice of opposition.

4. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 4 of the notice of opposition and on that basis, denies the allegations.

5. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 5 of the notice of opposition and on that basis, denies the allegations.

6. Applicant admits it is a California corporation. Applicant denies the remaining allegations contained in paragraph 6 of the notice of opposition.

7. Applicant denies the allegations contained in paragraph 7 of the notice of opposition.

8. Applicant denies the allegations contained in paragraph 8 of the notice of opposition.

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9. Applicant denies the allegations contained in paragraph 9 of the notice of opposition.

10. Applicant denies the allegations contained in paragraph 10 of the notice of opposition.

11. Applicant denies the allegations contained in paragraph 11 of the notice of opposition.

**AFFIRMATIVE DEFENSES**

12. Applicant further affirmatively alleges that Opposer is barred from the relief sought based upon the doctrine of laches, estoppel and/or acquiescence.

13. Applicant affirmatively alleges that the marks in question are not likely to be confused.

14. Applicant affirmatively alleges that Opposer's alleged certification marks are invalid as applied to Applicant's mark.

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WHEREFORE, Applicant respectfully prays that:

1. Opposer's opposition be dismissed in its entirety, with prejudice, and that Applicant Serial No. 85/230,144 be allowed to register, and
2. Applicant be granted such further and additional relief as the Trademark Trial and Appeal Board deems proper and just.

DATED this 23<sup>rd</sup> day of November, 2011.

Respectfully submitted,

/s/ Matthew A. Becker

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MATTHEW A. BECKER  
Attorney for APPLICANT  
California State Bar No. 190,748

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**PROOF OF SERVICE BY U.S. MAIL, 37 CFR § 2.119(A)**

I hereby declare:

I am over the age of 18 years and am not a party to this action. I am employed in San Diego, County. My business address is 1003 Isabella Avenue, Coronado, CA 92118.

On the date first written below, I served a true and correct copy of the attached document entitled:

**ANSWER TO OPPOSITION PROCEEDING NO. 91202001**

by causing it to be placed in a sealed envelope and deposited in the United States mail, first class postage fully prepaid and addressed to the following:

Abigail A. Rubinstein, Esq.  
Steptoe & Johnson LLP  
1330 Connecticut Avenue, N.W.  
Washington, DC 20036

Dated: November 23, 2011

/s/ Matthew A. Becker

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Matthew A. Becker